The German Baptists In Court.

The Brethren Church of this place was sued at law, by the German Baptist Church, for the exclusive use of the Silver Creek meeting house and graveyard.

The suit was pending in court since last spring, and finally came up for hearing, before Judge Broady, on Oct. 2nd, and lasted through the morning, afternoon and evening sessions of that day. The Judge withheld his decision until Friday morning, when it was rendered in favor of the defendants.

The lawsuit excited considerable attention in this community on account of its religious (or rather irreligious) character; and the circumstances leading to the controversy being of the general interest to the Brethren churches, I shall attempt a brief review of those circumstances, together with a few of the incidents attending the trial.

The Berlin Committee outrage, and Mandatory legislation by Annual Meeting of 1882 and 1883, found the Falls City church in sympathy with those who protested in those departures from the original principles of the Brethren church, and it continued to fellowship those who had been arbitrarily expelled by Annual Meeting power. This religious duty, conscientiously performed, provoked the calling of committees, to settle difficulties, by a factious minority whose zeal for the supremacy of Annual Meeting laws, overshadowed their love for the gospel of Christ.

The committees by the adjoining elders were defeated by the church, and the church could not be divided in that way. An appeal was then made to Annual Meeting which sent a committee clothed with arbitary authority to expel the "Progressives."

The church then called a council and instructed its trustees to deed the undivided half of the church property to Jos. H. Myers, in trust for the Brethren Church. After the A. M. Committee had done its work the Brethren church was reorganized on the gospel alone platform, and Bro. Myers deeded the property to its regularly elected trustees.

The dissatisfied minority representing Annual Meeting laws, were not satisfied with the above action of the church, and although they permitted the brethren to occupy the house on alternate Sundays, they protested against our right to make im provements, and harassed us in various ways. The improvements consisted of laying carpet in the aisle, planting trees in the yard, and laying down a board walk. From their council proceedings, read in court, we learned that they had instructed their janitor to roll up the carpet when they had meeting. This practice was however soon discontinued. Before the suit was brought, and after the trial was deferred the brethren made honest attempts to settle the matter. They were prepared to prove in court that the donors to the church now included in the Brethren church had donated four-fifths of the cost of the property, yet they were satisfied with one half from the beginning, and in proposing a settlement they were willing to sell to the German Baptists for less than they would ask them to pay, but their representative would not agree to pay them more than one hundred and twenty-five dollars which he claimed was twenty-five dollars more than it would cost them to get it by law. In this idea he proved himself mistaken, but to err is human, etc.

In this unseemly lawsuit, Elder S. S. Mohler, of Missouri acted a prominent part. He seemed to be the chief advisor and witness. He was the first one called upon the stand to testify. His testimony related to church government, and the difference between the faith and church goverument of the plaintiffs and defendants. He occupied the stand during all the forenoon session of the court. He assented to the affirmation, to tell the truth and the whole truth, excepting the pains and penalty of perjury. The rest of his brethren did not follow his example in this particular.

The first question asked that had a direct bearing on the case was: "What is your system of church government?" Answer. "Don't know what he means." After the question was explained he answered: "Our local churches do not have exclusive control of any question." Further on he testified that the Brethren church had a congregational form of church government. His church was governed by the standing committee of Annual Meeting.

His church had close communion, he did not think the defendants had any rule. (As we have the gospel for our guide, the elder no doubt supposed that the gospel did not define this question.) He was asked to define the distinctions between the two, but said he was puzzled to tell. He finally said, we don't believe in a salaried ministry; they differ in baptism, but they have the same mode. He tried to show a decision of Annual Meeting to prove that the church property was vested in Annual Meeting. I think it must have been the minute relating to the St. Louis church property which he read. That property was deeded to Annual Conference, and no one questions its title.

The Silver Creek church was not deeded to Annual Conference. The elder should have known the difference. When questioned whether it was not against the principle of the church to sue at law, he answered, that suit might be brought by consent of the local congregation. Here the elder inadvertantly testified against his previous assertion that: "Our local churches do not have exclusive control of any question."

Annual Meeting of 1883 decided that churches should not sue at law for church property, and here the congregation had set aside the authority of Annual Meeting in bringing this suit, and Elder Mohler a member of the standing committee assisting.

Our chief witness was Elder Christian Forney, of Beaver City, Neb., who formerly lived in this congregation and was acquainted with the history of the church. In addition to his testimony bearing direct on the question, Bro. Forney gave a history of the Brethren church and its division which interested the court and all the spectators, provoking considerable merriment.

In the cross examination at the investigation of Eld. Mohler he was asked the question, whether it was not a fact that the Brethren Church was composed of expelled members and Leedyites. In answering the question Bro. Forney made an allusion to the Wolfe brethren, when the fact was disclosed that the Judge was related to Elder Wolfe, formerly of Illinois. After the testimony was all in, then came the speeches by the attorneys. It was a curious spectacle to behold, to see Elder Mohler and others of the good old nonresistant dunkard church set in the court house and hear the lawyers expound to them the principles of Christian charity, honesty and equity. It was manifest after the conclusion of the trial, that no matter how the judge might decide the case, we had won the victory, the intelligent Christian people of this community being the judges.

I had met Elder Mohler previous to the trial and suggested the propriety of settling the controversy through a court of arbitration. To this he made reply that they could not meet us upon an equality. The church owned the property and had nothing to arbitrate or compromise with the other party.

The Court has decided to grant the petition for partition, and the property will likely be sold and the disagreeable partnership dissolved.

E. L. YODER.

On the death of Eld. S. C. Stump.

The news of the death of our beloved Bro. Stump, of Falls City, Neb., made the writer feel extremely sad. To our mind Bro. Stump was the ideal of manhood. Tender as a lamb yet brave as the lion. When sympathy was needed, none was more forward to bestow it than he. When justice was endangered, none was more brave. He was decidedly a man of principle. To encourage the weak, to aid and weep with the distressed, to dare the cruel and unjust was the business of his life. As a preacher but few excelled him in earnestness, devotion, zeal and biblical lore.

As a neighbor we heard him spoken of in the highest items. In all things he aimed to do good. The writer was present when the cruel and extremely unjust sentence was pronounced against him, severing him from his former church connection. In one sense we were glad. We wanted this noble man, this earnest preacher, this sympathetic friend, this man so courageous for the right, with us. But on the other hand we felt sad, very sad, that men professing to be shepherds of the sheep, and assuming great piety, should prove so hypocritical and heartless as to pronounce sentence of excommunication upon one by far their superior in everything good and noble. When the memory of the man who pronounced the unjust sentence, will lie buried in eternal oblivion, that of S. C. Stump will be sweetly cherished by hundreds who knew him as a true, honored and tried friend. But O what a loss to his family. May he who takes care of the sparrows and nurses the lilies, comfort the bereaved widow, and cause every child of the family to emulate the nobility of character of a noble father.

The loss to the church, it seems to us, is almost irreparable. We shall greatly miss Bro. Sam. Stump, constituted a sentence in a recent letter to the writer, from Falls City. Indeed you of the Falls City congregation will miss him. It can't be otherwise.

But he will be missed in a more general sense. Though he seldom made himself conspicuous in print, yet in solid work, with open purse and earnest eloquence, not acquired in colleges, but born in his noble soul, his influence was felt in noble frontier efforts to do good. O ye young preachers with your educational advantages emulate this noble preacher—this pioneer hero. Ever remember that Eld. S. C. Stump was quite conspicuous among the noble hearted veterans who opened the way for you. It was he, who among others was the most prominent to smooth the way for you.

You have advantages superior to what he had, but those advantages without the burning zeal, heart charity and soul eloquence possessed by him, will make you but sounding brass and tinkling cymbals. O God, help us that the grand character, the noble impulses, the heroic life of Bro. S. C. Stump, may fall upon every surviving preacher tenfold. Amen.

"Dearest brother thou hast left us,
Here thy loss we greatly feel.
Yet again we hope to meet thee,
When the day of life is fled.
Then in heaven with joy to greet thee,
Where no farewell tear is shed."

W. J. H. BAUMAN.

Montana, Kan.

Maurertown, Va.

A vibration between a wedding and a funeral. A marriage ceremony promised a week past. Now the flashes on the wire say, come, preach a funeral. What is best? The wedding feast will no doubt be pleasant, and I have promised. The funeral will be sad. "It is better to go to the house of mourning than to go to the house of feasting," at the advice of Solomon. A substitute was procured for the marriage; off to the sorrowing family in Rockingham whom we found weeping for the loss of an affectionate wife and mother. The large crowd of people gathering at the church gave evidence of the high rank Sister Collier held in Society.

"The Gospel According to Jesus," by Elder Mason, just received, and as far as my examination has gone, I conclude it is a strong exposition on the distinctive features of the gospel, hence a great auxiliary to our cause. It should be in the home of all our people and many more. Also "The Story of Jesus," by the Brethren Tract Society, is before me. This is a neat, big work for 10 cts. "Doctrinal Points" is just the thing for distribution. Send to the Brethren Tract Society and get "Doctrinal Points" for 10 cts. Give them to some one whom you would wish to see the facts as you understand. I have found it a great help in the work to place tracts in the hands of the doubtful, and thereby have received the credit for proselyting when it really was the tracts that did the work.

E. B. SHAVER.

Maurertown, Va.

Tourists to Yellowstone Park next season might encounter a Northwestern blizzard. If they are wise men they will take a supply of the famous Dr. Bull's Cough Syrup.

OUR CHURCH.

Bro. H. Leach, of Rosemont, Pa., is open to accept a call to serve as pastor of some congregation.

Bro. I. Kilhefner visited the Fairview church, near Washington, C. H., Ohio, last Lord's Day.

Bro. J. B. Lair had arranged to leave Kansas City, Mo., but later he writes that his address will be N. W. Cor. 24th and Mercer sts., same city.

There will be a communion in the Providence Church, Warren Co., Va., Oct. 20. The usual invitation is given.—Jacob C. Rinker, Reliance, Va.

The church at Zimmerman, Ohio, will be dedicated some time in November and without debt. Debts are demoralizing, especially church debts, and we are much pleased that the little flock at Zimmerman is to have a church dedicated without that hindrance.

There will be a communion meeting in the Glade Run meeting House, on the evening of Nov. 10th. Meetings to commence on the evening of Nov. 3rd. A general invitation to all of like precious faith, especially ministers.—J. B. Wampler.

We have received from the secretary, Bro. A. D. Gnagey, the report of the Johnstown Ministerial Convention, which will be published next week. The report of the S. S. Convention, corrected and approved by the secretary, has been published.

We are glad to notice that Bro. Palmer got along very nicely at the communion at the Warsaw church. We sometimes promise more than can be done. We owe those brethren an apology, but as their meeting was all that could be desired, it does not seem necessary.—A. L. G.

The Falls City Church expects to hold a love feast, at its meeting house, four miles north of Falls City, Neb., Saturday evening, October 20th, beginning at 5 o'clock p. m. Preaching the following Sunday morning and evening. All are welcome. By order of the church.—E. L. Yoder.

A protracted meeting will be held in the Fairview congregation of the Brethren, at Echo, Kansas, commencing Oct. 22nd. Communion services on the 27th. Arrangements are made for Bro. W. J. H. Bauman to be with us. A cordial invitation is extended to the brethren to be with us. By order of the church.—S. W. Metsker, clerk.

A very enjoyable communion service was held at the Fair Haven church, on Lord's day evening, the 14th. A good number of brethren were in attendance from the Homer church, including the pastor, Bro. H. S. Jacobs, a few from Ashland, and other points. An orderly congregation witnessed the observances, and Bro. Kiefer, the pastor and the congregation were refreshed.

Bro. S. H. Bashor, writes from Longmont, Colorado, Oct. 6th:

Please say to the readers of the EVANGELIST that my address until 24th, inst., will be New Virginia, Iowa, and after that for two weeks at Dallas Center, Iowa. An just down from the mountains where snow fell on 3rd and 4th inst., to a depth of near 25 inches. Am fully rested and ready for a winter of hard work.

As cold, damp weather approaches Rheumatism will make its appearance among hundreds of people. This disease yields readily to the infallible Rheumatism remedy, which is a positive cure. For particulars address,

E. J. WORST, Gen., Man.
Ashland, Ohio.

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